IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 106(S/S)2004

1. Sridhar Lal Kohli S/o Sri Mohan Lal Kohli,
   Head Clerk, District Rural Dev. Agency,
   Chmoli, district Chamoli,
2. Puran Chandra Pandey S/o Sri Janarjan Pandey,
   Head Clerk, District Rural Dev. Agency,
   Pauri, district Pauri Garhwal,
3. Meera Thapa W/o Sri N.S. Thapa,
   Rural Development Authority (D.R.D.A.),
   Nainital. ----- Petitioners.

Vs.

1. State of Uttarakhand through Principal Secretary,
   Gramya Vikas, Govt. of Uttarakhand Dehradun,
2. Commissioner Rural Development, Pauri,
   District Pauri Garhwal. ----Respondent.

Sri. P.C.Jhingan, learned Counsel for the petitioners,
Sri Paresh Tripathi, learned Standing Counsel for State of Uttarakhand/respondents,

Hon'ble M.M. Ghildiyal, J.

Heard Sri. P.C.Jhingan, learned Counsel for the petitioners and Sri Paresh Tripathi, learned Standing Counsel for State of Uttarakhand / respondents.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

i. Issue a writ, direction or order in the nature of mandamus commanding the respondents to grant pay scale of Rs. 5000-8000 to the petitioners from the date of their promotion as Head Clerk in the office of District Rural Development Agency in view of the

recommendations of 5th Pay Commission forcible from 01.01.1996,

ii. Issue a writ, direction or order in the nature of mandamus commanding the respondents to make payment of arrears of difference of salary and allowances paid to the petitioners which they are entitled at the rate of pay scale of Rs. 5000-8000 from the date of there promotion as Head Clerk on 10.11.1999,

iii. Issue any other order or direction, which be deemed fit and proper under the facts and circumstances of the case in favour of the petitioners,

iv. Award cost of the writ petition to the petitioners.

The reliefs are being sought by the petitioners on the basis of recommendations dated 26th April 2003 made by Commissioner, Rural Development & Panchayati Raj Uttarakhand, Pauri by which the Commissioner has recommended to the Government to grant pay-scale of Rs. 5,000-8,000 to the Head Clerks of Gramya Vikas at par with the Head Clerks of other Departments. Learned counsel for the petitioners has submitted that the despite the recommendations made by the Commissioner, the Govt. has yet not taken any decision in the matter, thus has prayed that the respondent no. 1 may be directed to take decision on the aforesaid recommendations made by the Commissioner on 26th April 2003.

The prayer is innocuous.

Consequently, I direct the respondent no.1 i.e. Principal Secretary, Gramya Vikas, Govt. of Uttarakhand, Dehradun to

take decision on the recommendations made by the Commissioner dated 26th April 2003, contained as annexure no. 4 to the writ petition, within a period of three weeks from the date of production of a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

May 10, 2007:
NCM: